

HAMPTON VA

# Inoperable Vehicles in Residential Areas

City Council  
October 11, 2017



# Purpose

- Brief City Council on potential amendments to the City Code related to inoperable vehicle enforcement in residential areas.

# Agenda

- Current Challenges
  - Current Code Requirements/Practices
  - Potential Options Available
  - Staff Recommendations
  - Request for City Council Guidance
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# Current Challenges

**The Property Maintenance & Zoning Enforcement Division is responding to increased citizen complaints related to:**

- Inoperable vehicles that remain on properties for long periods of time

# Inoperable Vehicles – Current Practice

Inoperable Vehicle defined as:

- For a period of **60 days** or longer:
  - has been partially or totally disassembled by the removal of tires and wheels, the engine, or other essential part; or
  - Displays neither valid license plates nor a valid inspection deal (requires **both** to be missing or invalid)
- Exception for up to two vehicles within a fully enclosed building or structure or otherwise shielded or screened from view (not visible by someone standing at ground level from outside the property)

# Inoperable Vehicles

- Inoperable Vehicle definition requires either inspection OR registration
- Property owners are able to “run out the clock” on compliance
- Could take 100 days to remedy a violation



# Inoperable Vehicles

This vehicle has current tags but an expired state inspection, which is allowed to be parked on private property but not driven on a public highway



# Inoperable Vehicles – Current Practice

- **Inspector finds violation**
  - Proactive drive through a neighborhood and/or citizen complaint
- **Notice of Violation (NOV) issued**
  - Given 60 days to correct violation
- **Inspector re-inspects property (1)**
  - If not corrected, 10-day NOV issued.
- **Inspector re-inspects property (2)**
  - If not corrected, vehicle towed by contractor or, if unable to gain access to vehicle, summons issued to property owner
- **Court process for uncorrected violations**
  - If the summons is able to be served timely, the first court date is approximately 4 weeks after summons is obtained
  - Best case scenario: 100 days for court process




# Potential Options Available

- Require current inspection **and** registration
  - Shorten compliance period
  - Limit # of screened vehicles
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# Inoperable Vehicles

- **History:**

- The inoperable vehicle code was last substantively revised in 2000
  - In 2000, City staff met with many hobbyists, representatives from auto repair shops, and other stakeholders to reach a consensus
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# Inoperable Vehicles

- **Hampton has special authority to regulate inoperable vehicles more inclusively**
  - Current code requires valid registration **or** inspection
  - Authorized to require valid registration **and** inspection (if inspection required by DMV)

\*Would continue to regulate partially or totally disassembled vehicles

# Inoperable Vehicles

- **Hampton has special authority to regulate inoperable vehicles more inclusively**
  - Current code allows two (2) inoperable vehicles per property if fully screened from view
  - Authorized to allow zero (0) inoperable vehicles per property with an exception for up to 2 vehicles being actively restored if fully screened from view
- **Limitations do not apply to inoperable vehicles kept in a fully enclosed building**

# #1 – Inoperable Vehicles

## Other Jurisdictions with Special Authority

Jurisdiction	Inspection AND registration?	Time Limits	Allow Shielded?
Hampton	No	60 days + 10 days	Yes, 2
Newport News	Yes, both	24hrs – 7 days	0
Portsmouth	No	10 days	Yes, unlimited
Suffolk	No	10 days	0
Albemarle	Yes, both	10 days	Yes, unlimited
Fairfax	Yes, both	10 days	Yes, unlimited
Roanoke	Yes, both	7 days	Yes, 1, exempts industrial
Petersburg	Yes, both	15 days	0
Falls Church	Yes, both	10 days	0

# #1 – Inoperable Vehicles

Options	Pros	Cons
Requiring current inspection <b>and</b> registration	<ul style="list-style-type: none"><li>- Reduce # of vehicles</li><li>- Align with requirements to drive on streets</li><li>- More difficult to circumvent code</li></ul>	<ul style="list-style-type: none"><li>- Will cost money for citizens to register vehicles if they only have inspections (and vice-versa)</li></ul>
Shortening compliance period	<ul style="list-style-type: none"><li>- Expedited enforcement</li><li>- Align with neighboring jurisdictions</li></ul>	<ul style="list-style-type: none"><li>- People may need time to bring vehicle into compliance</li><li>- Hobbyists could get caught up</li></ul>
Limit # of Screened Vehicles	<ul style="list-style-type: none"><li>- Reduce # of vehicles</li></ul>	<ul style="list-style-type: none"><li>- Difficult to enforce</li></ul>

# Staff Recommendations

## Inoperable Vehicles

- Require current inspection **and** registration (if inspection required by DMV)
- Shorten compliance period to 10 days
- Limit # of screened vehicles as allowed by state code

**Staff recommends approval of all 3 options**

# Questions